

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Steve Zakic
DOCKET NO.: 05-27104.001-C-1
PARCEL NO.: 17-28-434-033-0000

The parties of record before the Property Tax Appeal Board are Steve Zakic, the appellant, by attorney Brian P. Liston of Liston & Tsantilis, P.C., Chicago, and the Cook County Board of Review.

The subject property consists of a 6,600 square foot parcel improved with a 115-year-old, four-story style multi-use building of masonry construction containing 21,444 square feet of building area. The subject contains 17 units which includes commercial units. The subject is located in South Chicago Township, Cook County.

The appellant, through counsel, appeared before the Property Tax Appeal Board claiming unequal treatment in the assessment process as the basis of the appeal. In support of this argument, the appellant offered a spreadsheet detailing three suggested comparable properties. These properties consist of two or three story style multi-use buildings of masonry construction ranging from 76 to 95 years old. Including commercial units, the comparables contain from 8 to 12 units. The comparables range in size from 8,484 to 12,900 square feet of living area and have improvement assessments ranging from \$3.61 to \$6.70 per square foot of living area. A copy of the subject's 2005 board of review final decision was also included. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final improvement assessment of \$147,779, or \$6.89 per square foot of building area, was disclosed. In support, the board of review offered a memorandum indicating the sales of properties in the subject's area suggest an unadjusted range of from \$35.00 to \$65.34 per square foot of building area thus supporting the current assessment. Cook County Assessor's Office sales sheets for the four comparables were offered in support. The comparable properties are multi-story multi-use buildings ranging from 42 to 113 years old and in

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$	12,427
IMPR.:	\$	147,779
TOTAL:	\$	160,206

Subject only to the State multiplier as applicable.

building size from 13,200 to 30,000 square feet. These properties were sold from August 2001 to November 2004. Based on the foregoing, the board of review requested confirmation of the subject's assessment.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The appellant's argument was unequal treatment in the assessment process. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the Board finds the appellant has overcome this burden.

The Property Tax Appeal Board places no weight on the board of review's evidence. The board of review presented what appears to be an in-house memorandum summarizing raw data from the sales of five mixed-use properties. The Board finds that the memorandum lacked analysis concerning the suggested comparables' similarity or dissimilarity to the subject. Further, there are no adjustments to the sales for time of sale, conditions of sale, condition of the buildings, location, size, or any other factor used in a conventional comparative analysis. The Board finds the board of review's presentation of five sales without any meaningful analysis merely anecdotal.

The Property Tax Appeal Board finds that the appellant submitted three properties as comparable to the subject. These properties have improvement assessments ranging from \$3.61 to \$6.70 per square foot of living area. The subject's per square foot improvement assessment of \$6.89 falls slightly above the range established by these properties. However, the Board finds that the property index numbers of these comparables indicate they are located in market areas widely diverse from the subject. In addition, the Board finds that none of the properties offered as comparable bear any similarity in size to the subject. As a result, the Property Tax Appeal Board finds the appellant failed to adequately demonstrate that the subject property was inequitably assessed by clear and convincing evidence and no reduction is warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.

Chairman



Member



Member



Member



Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: April 24, 2009



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal

Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.